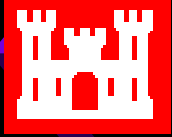


USACE LEGAL SERVICES WORKSHOP

DOUG LAMONT

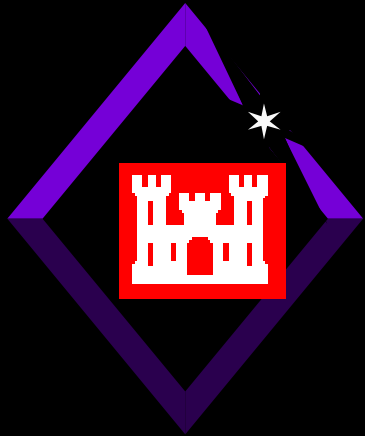
POLICY REVIEW BRANCH

MSC QA



DECISION DOCUMENTS - REPORTS & PCA'S

- ◆ Oversee District Schedules for Report/PCA Approval
 - ◆ Budgeted Studies/Projects
 - ◆ Congressional Adds
- ◆ Key off Project Data through PROMIS
- ◆ Assure District reports are prepared addressing items in:
 - ◆ Policy Compliance Review Checklist
 - ◆ PCA Checklist
- ◆ PCA's (including amendments) must be based on an approved decision document



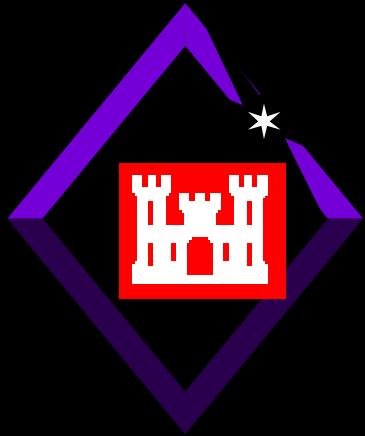
MSC QA

DECISION DOCUMENTS MUST ADDRESS:

Scope of the project

Current economics

- Changes from last approved decision document
- Unusual aspects such as Work-in Kind,
betterments, mitigation, or locally preferred plan
- Federal/Non Federal cost sharing allocations



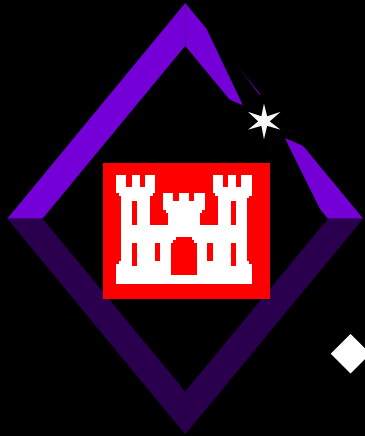
MSC QA

DECISION DOCUMENTS MUST ADDRESS:

- MCACES cost estimate
- Certification of NEPA compliance

Identification of project cooperation requirements for
and OMRR&R

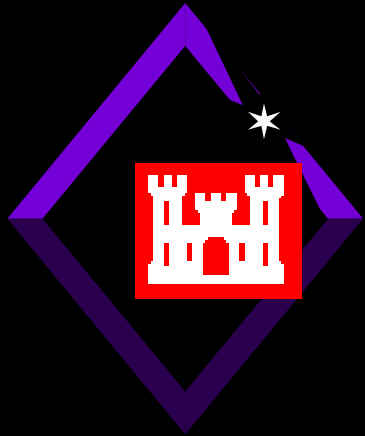
- Reaffirmation of sponsor's willingness and financial capability to participate



MSC QA

- ◆ Ensure districts do not send reports to Washington without:

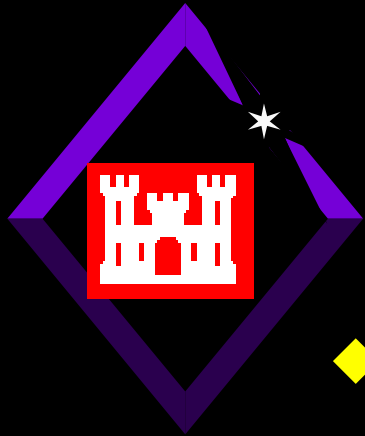
1. Certification of Legal and Technical Review
 - ◆ Including documentation of issue identification and resolution (EC1165-2-203)
2. Cover memo determination that report prepared based on Policy Compliance Review Checklist and PCA Checklist
Identify any outstanding issues and proposed resolutions
3. Schedule AFB's and FRC's after 1. and 2. are fully addressed



MSC QA

PCA's

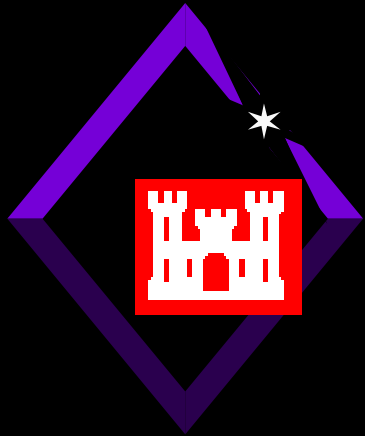
- ◆ Delegated Authority PCA's
 - ◆ Ensure District is using the correct model PCA
 - ◆ Ensure District completes PCA checklist
with no unresolved issues before scheduling
PCA execution



MSC QA

PCA'S

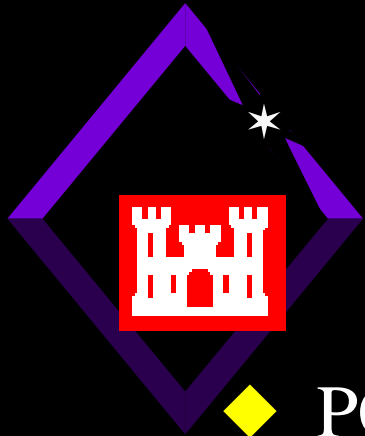
- ◆ Delegated Authority PCA's
- ◆ Ensure District sends completed PCA Checklist to CECW-AR electronically, at least 30 days prior to scheduled PCA execution
 - ◆ Purpose is to ascertain any desire by ASA(CW) to participate in PCA signing
- ◆ CECW-AR will advise MSC/District electronically of results of OASA(CW) coordination



MSC QA

PCA's

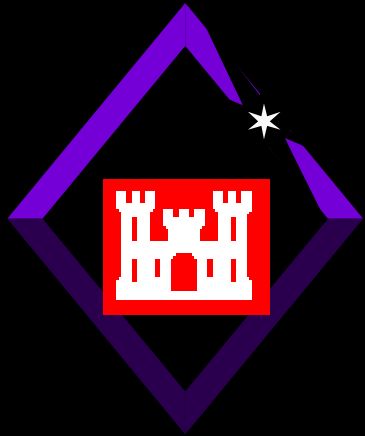
- ◆ PCA's with no Delegated Authority or with Deviations
 - ◆ Comply with EC 1165-2-204 submission requirements
 - ◆ 6 copies of draft PCA to CECW-AR
 - ◆ Only after decision document has been approved at



MSC QA

PCA's

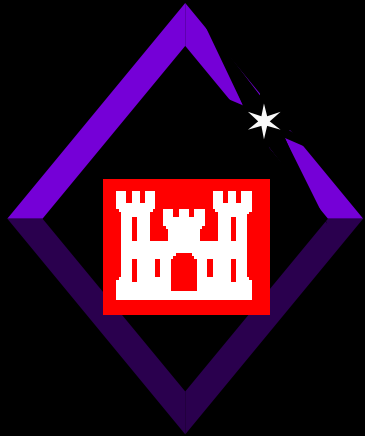
- ◆ PCA's with no Delegated Authority or with Deviations from Model:
 - ◆ President's budget has been released or CG funds appropriated
 - ◆ All NEPA requirements have been met
 - ◆ District Counsel has reviewed and certified legal sufficiency
 - ◆ Electronic file of draft PCA



MSC QA

PCA's

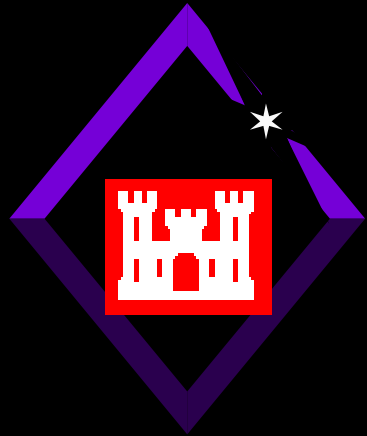
- ◆ Ensure procedures are in place to preclude any changes being made to OASA(CW) approved PCA's
 - ◆ Unless re-coordinated prior to execution with



MSC QA

PCA's

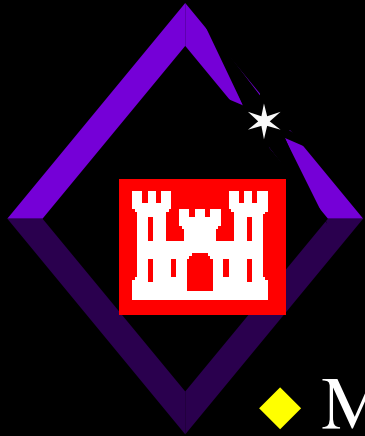
- ◆ MSC and District Commanders do not have authority to make unapproved changes with
 - ◆ typos
 - ◆ revising project cost estimates in accordance with an approved SACCR
 - ◆ changing first/last paragraph of PCA and signature block for commander's signature



MANAGEMENT CONTROLS

MSC's Provide Oversight and Quality Assurance for Districts

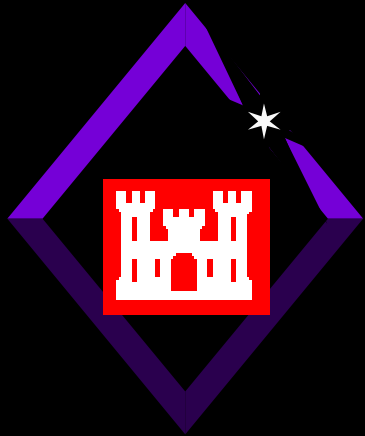
- ◆ Management control checklist in Appendix C of EC 1165-2-204 for PCA development and negotiation
- ◆ If a material weakness is discovered, district should report it to MSC and specify needed corrective action
 - ◆ MSC will determine whether it must be reported to CECW-BD
 - ◆ Consult AR 11-2 for assistance



MANAGEMENT CONTROLS

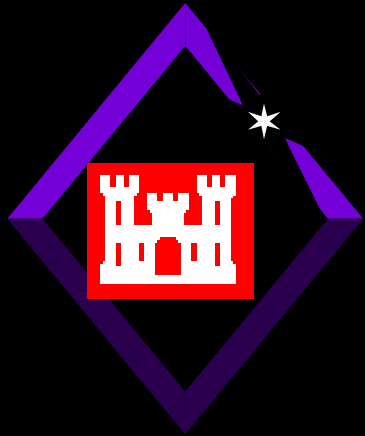
(CONTINUED)

- ◆ MSC's should implement a QA program to ensure there are no abuses of delegated authority
- ◆ Yearly, each MSC commander should perform a compliance review of district's use of delegated authority to approve and execute PCA's that follow model PCA's
- ◆ Results due to CECW-A 31 October each year



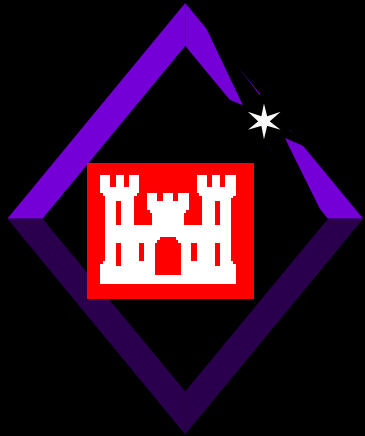
MANAGEMENT CONTROLS (CONTINUED)

- ◆ Performance standards for those processing PCA's should include explicit statement of responsibility for management controls specified enough to provide individual accountability



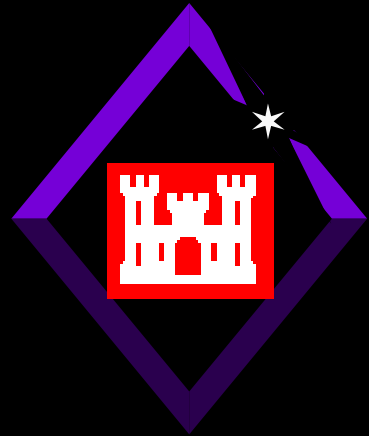
REQUIRED COMPONENTS OF A PCA SUBMISSION TO CECW-AR (Specifically Authorized Projects)

- ◆ PCA Checklist
- ◆ Federal-non-Federal allocations of funds table
- ◆ Draft PCA
 - ◆ List of deviations from the model PCA with explanation for deviations
 - ◆ Certification of review by district counsel



REQUIRED COMPONENTS OF A PCA SUBMISSION TO CECW-AR (Specifically Authorized Projects)

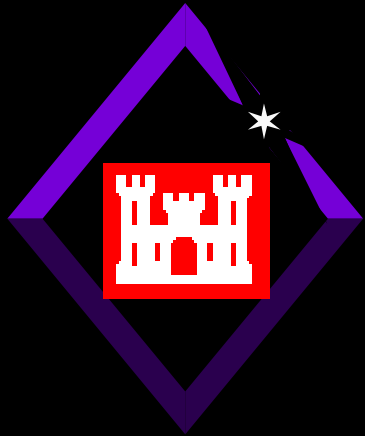
- ◆ Financial Analysis
 - ◆ Sponsor's financial plan
 - ◆ District assessment of sponsor's financial capability
- ◆ Approved Decision document upon which PCA is based (1 copy)
 - ◆ Include copy of signed Chief's Report which lists authorized items of local cooperation



Problem Areas

- ◆ Little opportunity to work with District document development prior to submission to HQUSACE
 - ◆ Unsubstantiated changes from draft to final report submission
- ◆ 38 Districts with different approaches and levels of
 - ◆ To date, highly variable role of MSCs in QA
 - ◆ Too much time spent in Washington resolving issues

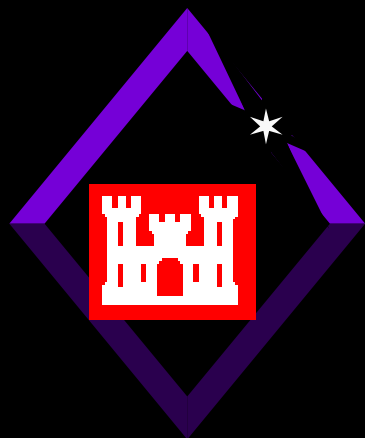
Problem Areas



◆ Congressional Adds

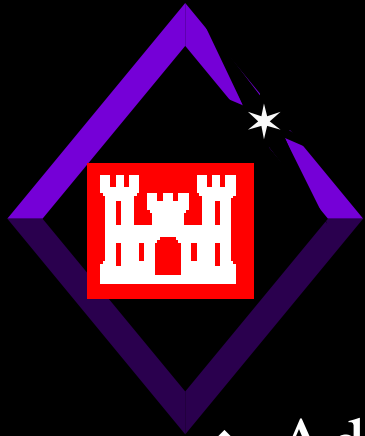
- ◆ Receiving decision documents insufficient to support PCA's
- ◆ Ensure district Programs office provides strict guidance on Federal funds availability and limits to which PCA should be scoped

Problem Areas



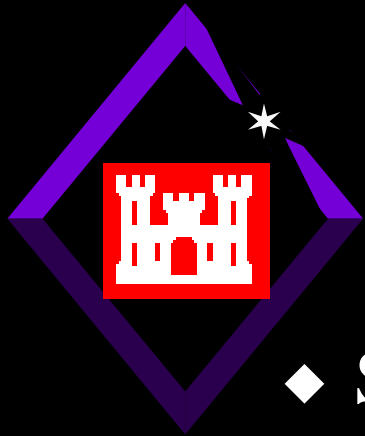
◆ Congressional Adds

- ◆ Follow policy guidance:
 - ◆ 12 Nov 92 CECW-L/E memo,
subject: Development and Approval
Process for PCA's
 - ◆ 27 May 97 CECW-A/B memo,
Subject: Decision Documents and
PCA's for Congressional Adds for
Specifically Authorized Projects



Division/District Responsibilities

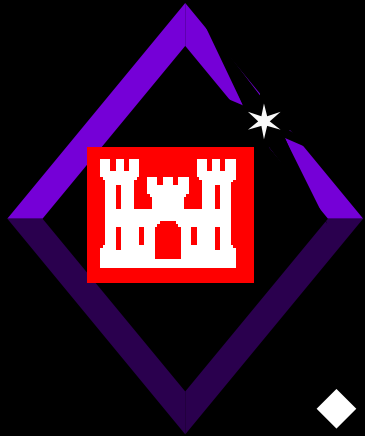
- ◆ Adherence by District to Project Guidance Memorandum (PGM) requirements
 - ◆ No new issues, unless required by changes
- ◆ MSC/District commitment to respond fully and in accordance with suspense dates
- ◆ Follow EC 1165-2-203 (Oct 96) guidelines on policy and technical review



Division/District Responsibilities

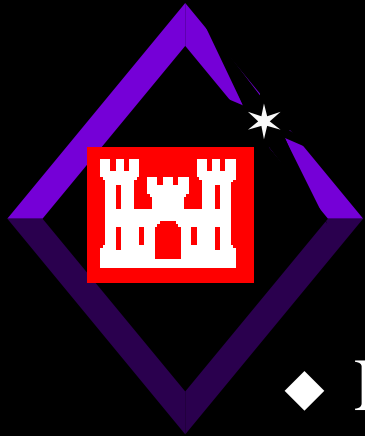
Reports

- ◆ Successful MSC's QA
 - ◆ Corporate commitment at all Corps levels
 - ◆ Elevate missed suspenses through chain of
- ◆ Successful District QC
 - ◆ Providing complete technical and legal review
 - ◆ Identify unresolved issues and how to resolve
- ◆ Require District counsel certification of decision
before submission to HQUSACE



DIVISION/DISTRICT RESPONSIBILITIES

- ◆ Follow Model PCA's
- ◆ Model PCA's may be found on World Wide Web
 - ◆ (<http://www.hq.usace.army.mil/cecc/ccpca.htm>)
- ◆ Ensure that the packages are complete - FOLLOW CHECKLIST
- ◆ Ensure there is an approved Decision Document before sending in the PCA
 - ◆ Explain departures between PCA and approved Decision Document



DIVISION/DISTRICT RESPONSIBILITIES

- ◆ Ensure that the NEPA process is completed
- ◆ Involve Office of Counsel early in the process and ensure that there is a District Counsel Legal Certification with the PCA
- ◆ Ensure that all numbers are consistent among, the PCA, the Financial Plan/Analysis, Decision Document, and PCA Checklist
- ◆ Ensure that the project is funded for construction or budgeted for construction